

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

TONYA M. CATRON, )  
v. Plaintiff, ) Case No. 2:08CV00043  
MICHAEL J. ASTRUE, )  
COMMISSIONER ) By: James P. Jones  
OF SOCIAL SECURITY, ) Chief United States District Judge  
Defendant. )

For the reasons stated in the opinion accompanying this final judgment, it is

**ADJUDGED AND ORDERED** as follows:

1. The objections to the magistrate judge's report and recommendation are **overruled**;
2. The magistrate judge's report and recommendation is **accepted**;
3. The motion for summary judgment by the Commissioner of Social Security ("Commissioner") is **denied** and the motion for summary judgment by the plaintiff is **granted**;
4. The final decision of the Commissioner is **vacated** and the case is **remanded** for calculation and payment of benefits; and
5. The clerk is directed to close the case.

ENTER: August 1, 2009

/s/ JAMES P. JONES  
Chief United States District Judge